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Filing date: **01/22/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

|                           |  |
|---------------------------|--|
| Proceeding                | 91183877   |
| Party                     | Plaintiff<br>Mr. RobbieCalvo   |
| Correspondence<br>Address | Melissa M. Allen<br>Attorney At Law<br>3200 West End Avenue, Suite 500<br>Nashville, TN 37203<br>UNITED STATES<br>nashvillelaw@yahoo.com |
| Submission                | Motion to Extend   |
| Filer's Name              | Melissa M. Allen   |
| Filer's e-mail            | nashvillelaw@yahoo.com   |
| Signature                 | /Melissa M. Allen/   |
| Date                      | 01/22/2009   |
| Attachments               | TTAB.Motion for Extension of Deadlines.01.22.09.pdf ( 7 pages )(2077031 bytes<br>)   |

**IN THE UNITED STATES PATENT AND TRADEMARKS OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of: Federal Trademark Application by Sheilah C. Griggs  
Serial Number: 77269747  
Filed: August 31, 2007  
Mark: ENGLISH ACCENTS  
Published in the  
*Official Gazette*: March 4, 2008

|                             |   |                         |
|-----------------------------|---|-------------------------|
| Robbie Calvo, an individual | ) |                         |
|                             | ) |                         |
| Plaintiff/Opposer,          | ) |                         |
|                             | ) | Ser. No. 77269747       |
|                             | ) |                         |
| v.                          | ) | Opposition No. 91183877 |
|                             | ) |                         |
| Sheilah C. Griggs,          | ) |                         |
|                             | ) |                         |
| Defendant/Applicant.        | ) |                         |

**OPPOSER'S MOTION TO EXTEND ALL DEADLINES IN PROCEEDINGS**

Commissioner for Trademarks  
Trademark Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1451  
Alexandria, VA 22313-1451

Sir or Ms:

COMES NOW Opposer Robbie Calvo, an individual, pursuant to TTAB Practice and Procedure § 3:60, "Issuance of Trial Order", and § 3:65, "Extensions of Time to Take Discovery", and does move this Board to take the following action to wit:

1. By the TTAB Notice to the parties hereto of May 3, 2008 this Board did set all deadlines relevant to these proceedings.

2. By OPPOSER'S MOTION TO EXTEND ALL DEADLINES IN PROCEEDINGS filed with this Board August 8, 2008, Opposer did request that all deadlines be continued for a period of sixty (60) days on various grounds, including that Applicant filed its Answer thirty (30) days after the TTAB deadline, and that Applicant was unrepresented by counsel, thus making communication with Applicant more difficult.

3. Opposer's counsel did attempt to seek a consent order as to said Motion but Applicant did not respond thereto, thus necessitating OPPOSER'S MOTION TO EXTEND ALL DEADLINES IN PROCEEDINGS.

4. Applicant did not object or in any way respond to OPPOSER'S MOTION TO EXTEND ALL DEADLINES IN PROCEEDINGS.

5. On November 6, 2008, this Board by Paralegal Specialist Nicole M. Thier did deny Opposer's Motion on the grounds of failing to find "compelling reasons" for an extension. In its Ruling, this Board did state:

"The parties are reminded that they share responsibility to conference to discuss the scope of the pleadings, the possibility of settlement and planning for disclosures and discovery."

6. Heeding this Board's admonishment and pursuant to the Rules, Opposer's counsel did send a letter to Applicant on November 10, 2008 (See copy attached) seeking to schedule a time to so hold a discovery conference, to discuss settlement, and to indeed pursue the possibility of resolution of this matter without unnecessary discovery, or additional steps by either party or this Board.

7. Applicant failed to respond in any way to this letter or this request.

8. To date, Applicant has failed to respond to all such requests by Opposer, including the OPPOSER'S MOTION TO EXTEND ALL DEADLINES IN PROCEEDINGS, the request for Applicant's Consent to the OPPOSER'S MOTION TO EXTEND ALL DEADLINES IN PROCEEDINGS, and Opposer's counsel's request to hold a Discovery and settlement conference.

9. Applicant's failure to respond or to cooperate has further delayed this process given that Opposer's counsel must conduct all steps in a written, formal manner and allow Applicant more than adequate time to respond, after which point Applicant has uniformly in fact failed to respond at all.

10. On January 22, 2009, Opposer sent another letter again seeking to schedule a Discovery conference and, at the risk of circumventing the necessary steps in the TTAB process, Opposer also served Discovery upon Applicant without being able to have the Discovery conference or any settlement discussions with Applicant.

11. Since the date of filing of OPPOSER'S MOTION TO EXTEND ALL DEADLINES IN PROCEEDINGS, additional facts have developed including: Applicant has refused to engage in a Discovery or settlement conference as required by the Rules; has confirmed and re-confirmed her unwillingness to communicate with or cooperate with Opposer; and, has further continued to be unrepresented which when combined with her failure to communicate has made the process of communicating greatly protracted.

12. As such, Opposer does move this Board to continue all deadlines in the TTAB Notice for one hundred and eighty (180) days.

13. This motion is made in good faith and not for the purpose of unnecessary delay.



WHEREFORE Opposer Calvo respectfully requests that the Trademark Trial and Appeal Board grant this Motion.

Date: January 22, 2009.

Respectfully submitted,



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Melissa M. Allen  
Attorney for Opposer/Plaintiff Robbie Calvo  
3200 West End Avenue, Suite 500  
Nashville, TN 37203  
Tel. 615.783.2880  
Fax: 615.783.1606

**CERTIFICATE OF MAILING**

I hereby certify that a true and correct copy of this document has been filed with the Trademark Trial and Appeal Board electronically through its website and that a true and correct copy hereof has been served on Applicant/Defendant by mailing via first class pre-paid U.S. Mail to:

Ms. Sheilah C. Griggs  
c/o Point 3 Media, & Idiom Entertainment  
1305 Clinton Street, Suite 300  
Nashville, TN 37203

as of the 22nd day of January, 2009



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Melissa M. Allen



Melissa M. Allen  
Attorney At Law

**COPY**

**By Overnight Delivery**

January 22, 2009

Ms. Sheilah C. Griggs  
c/o Point 3 Media, & Idiom Entertainment  
1305 Clinton Street, Suite 300  
Nashville, TN 37203

**Re: TTAB Opposition Proceeding #: 91183877**  
**Serial #: 77269747**  
**Mark: ENGLISH ACCENTS**

Dear Ms. Griggs:

As I have expressed to you in the past (see my letter to you of November 10, 2008) and as you may learn by reviewing the Board's admonishment to you of November 6, 2008, the parties in an Opposition Proceeding are required to have a "discovery conference" in order to discuss the possibility to settlement as well as to discuss their discovery.

You have failed to comply with this requirement.

Though my client had every intention of conforming with this requirement, he cannot do so without your cooperation. Thus, he has authorized me to proceed to the next phase in this process without having held such a conference.

Therefore, enclosed please find "Opposer's First Set of Requests for Admissions, Requests for Production of Documents, and Interrogatories" for your response thereto.

Enclosed please also find "Opposer's Motion to Extend All Deadlines in Proceedings".

Thank you.

Yours Very Truly,

Melissa M. Allen  
MMA/mw  
Encl.

Cc: Mr. Robbie Calvo

**COPY**



Melissa M. Allen  
Attorney At Law

November 10, 2008

Ms. Sheilah C. Griggs  
c/o Point 3 Media, & Idiom Entertainment  
1305 Clinton Street, Suite 300  
Nashville, TN 37203

**Re: TTAB Opposition Proceeding #: 91183877**  
**Serial #: 77269747**  
**Mark: ENGLISH ACCENTS**

Dear Ms. Griggs:

As you may know, the parties in an Opposition Proceeding are required to have a "discovery conference" in order to discuss the possibility to settlement as well as to discuss their discovery. This will take the form of a phone call of about 30 minutes to an hour depending on the issues.

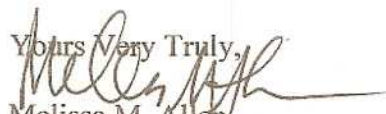
If you were represented by an attorney, this call would be between myself and that person. Since you are not represented by an attorney, this phone call will be between you and me. Please contact my office as soon as possible at (615) 783.2880 and ask for my assistant Lanita and let her know:

- A day and time in the next ten (10) days when you can be available for this phone call.
- The best phone number at which you will be reachable at that time. I will call you at the designated time.

My client Robbie Calvo will not be on this phone call.

If you have legal counsel, they should contact me about this call. If not, then only you as a party may be on this phone call.

Thank you.

Yours Very Truly,  
  
Melissa M. Allen  
MMA/mw  
Encl.

Cc: Mr. Robbie Calvo

COPY



Melissa M. Allen  
Attorney At Law

August 8, 2008

Ms. Sheilah C. Griggs  
c/o Point 3 Media, &  
Idiom Entertainment  
1305 Clinton Street, Suite 300  
Nashville, TN 37203

**Re: TTAB Opposition Proceeding #: 91183877**  
**Serial #: 77269747**  
**Mark: ENGLISH ACCENTS**

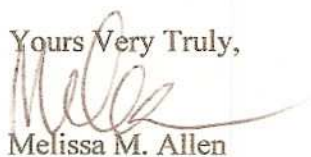
Dear Ms. Griggs:

Attached please find the Opposer's Motion to Extend All Deadlines in Proceedings, which was filed online with the TTAB today, August 8, 2008.

You should previously have received my letter of July 30, 2008 explaining the need for this Motion and giving you the opportunity to consent to the terms thereof. Since I did not hear from you, I filed this Motion unilaterally and not as a consent motion.

Thank you.

Yours Very Truly,

A handwritten signature in brown ink, appearing to read 'Melissa', written over the typed name.

Melissa M. Allen

MMA/mw  
Encl.

Cc: Mr. Robbie Calvo